

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

**FABIAN SANTIAGO,**

Plaintiff,

V.

**SGT. CHILDERS, et al.,**

Defendant.

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Civil No. **05-512-MJR-CJP**

**ORDER**

**PROUD, Magistrate Judge:**

Before the Court is plaintiff Santiago's motion "Requesting an Order to Compel & the Levy of Penalties, Costs & Sanctions, with Respect to Plaintiff's Second Set of Interrogatories." (**Doc. 92**). Plaintiff propounded interrogatories to defendant Mitchell, aimed at identifying the "John Doe" defendants. Mitchell responded that he lacked knowledge. Plaintiff propounded interrogatories to defendants Mote, Hile and Walker, aimed at identifying certain Illinois State Police and FBI investigators. Defendants Mote, Hile and Walker responded that they lacked knowledge.

Also before the Court is plaintiff's motion to supplement the aforementioned motion to compel. (**Doc. 94**). Plaintiff adds additional argument which will be considered by the Court.

The Court appreciates plaintiff's frustration, but if the defendants assert that they do not have knowledge to identify the individuals plaintiff is seeking to identify, absent evidence that they are lying, there is nothing the Court can do but to take the defendants at their word. Of course, if it later comes to light that the defendants did not respond truthfully, the defendants will face sanctions.

**IT IS THEREFORE ORDERED** that plaintiff's motion to supplement his motion to compel (**Doc. 94**) is **GRANTED**, in that the Court considered his supplemental argument when ruling on the motion to compel.

**IT IS FURTHER ORDERED** that the subject motion to compel (**Doc. 92**) is **DENIED** in all respects.

**IT IS SO ORDERED.**

**DATED: September 12, 2008**

**s/ Clifford J. Proud**  
**CLIFFORD J. PROUD**  
**U. S. MAGISTRATE JUDGE**